



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, FEBRUARY 24, 2003 – 7:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Minister Nathan Whittom, Mount Calvary Baptist Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

PRESENTATIONS

- (a) Presentation of a Certificate of Recognition to Raye S. Nelson – as an Extraordinary Master Teacher and Citizen
- (b) Presentation of a Certificate of Appreciation to Juan Ramos, Tucson Water Employee, for being an Extraordinary Citizen

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager FEB24-03-111 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Report from City Manager FEB24-03-112 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on tonight's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However,

the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

6. CONSENT AGENDA – ITEMS A THROUGH P

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager FEB24-03-109 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

(1) GUADALAJARA GRILL 1730 E. Prince Applicant: Seth P. Holzman City #002-03, located in Ward 3 Series #12 Action must be taken by: March 16, 2003 Public Opinion: Support Filed	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: State law provides that a new license, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person/Location Transfer(s)

(2) BEVERAGE STORE 1866 S. Country Club Applicant: Lisa M. Ramirez City #001-03, located in Ward 5 Series #9 Action must be taken by: March 14, 2003 Public Opinion: Support Filed Protests Filed	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: For a person and location transfer, the State Liquor Board will not hold a hearing to consider a protest of location or permit testimony against the location at a hearing scheduled to evaluate the personal qualifications of the applicant.

(c) Special Event(s)

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| (1) N. FOURTH AVENUE
MERCHANTS ASSOCIATION
4th Avenue between
9th Street & University Blvd.
Applicant: Craig L. Wilson
City #T002-03, located in Ward 6
Date of Event: March 21, 2003
March 22, 2003
March 23, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (2) YOUTH WORKS COMMUNITY
BASED HIGH SCHOOL
Grande Avenue, between St. Mary's
& Speedway
Applicant: Margaret McKenna
City #T005-03, located in Ward 1
Date of Event: March 1, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Traffic Eng. In Compliance |
| (3) DANCE SOUTHWEST
602 N. Wilmot Road
Applicant: Lori K. Franklin-Garcia
City #T007-03, located in Ward 2
Date of Event: March 1, 2003
March 2, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (4) OLD FORT LOWELL
NEIGHBORHOOD ASSOCIATION
Plaza Palomino, Swan/Ft. Lowell
Applicant: Kim K. Crooks
City #T008-03, located in Ward 2
Date of Event: March 14, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (5) OUR MOTHER OF SORROWS CHURCH
1800 S. Kolb Road
Applicant: Thomas M. McGuire
City #T010-03, located in Ward 4
Date of Event: March 1, 2003 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

(d) Extension of Premises

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| (1) | TFQ, INC. (FRENCH QUARTER)
3146 E. Grant Road
Applicant: Bryce Zeagler
City #EP02-03, located in Ward 6
Date of Event: March 4, 2003
Type: Temporary | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (2) | O'MALLEYS ON FOURTH
247 N. 4 th Avenue
Applicant: Scott J. Cummings
City #EP03-03, located in Ward 6
Date of Event: March 15, 2003
March 16, 2003
March 17, 2003
Type: Temporary | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (3) | EL SABROSO OAKWOOD GRILLE
610 N. Grande Avenue
Applicant: Dionicio Naranjo
City #EP04-03, located in Ward 1
Date of Event: March 1, 2003
Type: Temporary | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

8. CITY CLERK: APPOINTMENT OF CITY CLERK

- (a) Report from City Manager FEB24-03-121 CITY-WIDE
- (b) Ordinance No. 9817 relating to City Clerk; appointing a City Clerk; and declaring an emergency.

9. ZONING: (C9-98-08) WILMOT/INTERSTATE 10 PARTNERSHIP – WILMOT ROAD SH, C-2 AND RV TO MH-2 AND C-2, CHANGE OF CONDITIONS, ORDINANCE ADOPTION

- (a) Report from City Manager FEB24-03-105 WIV

The material on this item will be distributed on Thursday, February 20, 2003.

10. PUBLIC HEARING: PANTANO ROAD, GOLF LINKS ROAD TO ESCALANTE ROAD DISTRICT PAVING IMPROVEMENT

- (a) Report from City Manager FEB24-03-108 WIV
- (b) Hearing: This is the final hearing for the project. Interested parties may present objections to the legality of the assessment or any of the previous proceedings, or present evidence that the construction was not performed according to the contract.
- (c) Resolution No. 19497 approving assessment and previous proceedings for the “Pantano Road, Golf Links Road to Escalante Road District Paving Improvement,” in the City of Tucson, Arizona.

11. PUBLIC HEARING: CONSOLIDATION OF PROPERTY MAINTENANCE AND NEIGHBORHOOD NUISANCE CODES; CREATION OF A NEIGHBORHOOD PRESERVATION ORDINANCE

- (a) Report from City Manager FEB24-03-119 CITY-WIDE
- (b) Hearing on the consolidation of property maintenance and neighborhood nuisance codes, and the creation of a neighborhood preservation ordinance.
- (c) Ordinance No. 9816 relating to neighborhood preservation; adopting the “Neighborhood Preservation Ordinance”; stating purpose and scope; providing definitions; establishing maintenance standards for buildings, exterior premises, and vacant land; regulating dilapidated, vacant and nuisance structures; prohibiting junked motor vehicles; regulating slum property; declaring certain acts unlawful, including graffiti, excessive noise, unruly gatherings, illegal dumping, and maintaining a public nuisance; providing for administration and enforcement of the ordinance; establishing abatement remedies; providing for administrative appeals; defining liability; resolving conflicts of ordinances; and declaring severability; by repealing Sections 6-66, 6-67, 6-68, 6-71, 6-72, 6-73, 11-46, 11-65, 11-71 through 11-84, 11-130 through 11-135, 11-140 through 11-145, 11-170 through 11-170.3, 15-7 through 15-10, 15-70 through 15-74, and 15-75; and by creating a new Chapter 16, Articles I through VIII, Sections 16-1 through 16-99, entitled the Neighborhood Preservation Ordinance; saving rights, remedies and proceedings that matured or were begun prior to the effective date of this ordinance; and declaring an emergency.
- (d) Resolution No. 19516 relating to neighborhood preservation; approving neighborhood preservation ordinance enforcement policy; and declaring an emergency.

The City Manager recommends that Mayor and Council adopt the Neighborhood Preservation Ordinance and the Resolution approving the Neighborhood Preservation Ordinance Enforcement Policy. Also, the City Manager, in accordance with the Neighborhood Preservation Ordinance Task Force's request, recommends that Mayor and Council direct staff to continue to work with the various manufactured/mobile home stakeholders to address their concerns.

12. PUBLIC HEARING: UNIVERSITY AREA PLAN AMENDMENT – CAMPBELL/6TH STREET – PARKING

- (a) Report from City Manager FEB24-03-122 WVI
- (b) Hearing on the University Area Plan (UAP) Amendment – Campbell and Sixth Street located at 422 and 428 North Martin Avenue. This amendment request would permit parking for commercial uses northeast of the amendment site, on 6th Street between Martin Avenue and Campbell Avenue.

The material on this item will be distributed on Thursday, February 20, 2003.

13. PUBLIC HEARING: RINCON SOUTHEAST SUBREGIONAL PLAN AMENDMENT, MAP DETAIL #1, SAGUARO CANYON

- (a) Report from City Manager FEB24-03-120 WIV
- (b) Hearing for a proposed amendment to the *Rincon Southeast Subregional Plan* to allow the approximately 16 acre parcel at the southeast corner of Escalante Road and Houghton Road to be developed at a density of approximately 3 residences per acre. The site is located at the southeast corner of Escalante Road and Houghton Road. The amendment would revise Map Detail #1-Saguaro Canyon and designate the southeast corner of Escalante Road and Houghton Road as C 3.0 Low Intensity Urban.

The applicant is Laidlaw Consulting, on behalf of the property owners.

- (c) Resolution No. 19517 relating to planning and zoning; amending the Rincon Southeast Subregional Plan, Map Detail #1-RSSP – Saguaro Canyon, southeast corner of Escalante Road and Houghton Road; and declaring an emergency.

The Planning Commission voted 11-0 to forward a recommendation to the Mayor and Council to adopt the amendment to the *Rincon Southeast Subregional Plan* Map Detail #1 – Saguaro Canyon.

The City Manager recommends adoption of the resolution.

14. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager FEB24-03-113 CITY-WIDE

15. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

16. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, March 3, 2003, at 2:00 p.m., in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.